

REMARKS

Claims 1, 3, 4, 8 and 10 are all the claims pending in the application.

Claim Rejections - 35 U.S.C. § 101

Claim 10 stands rejected under 35 U.S.C. § 101 alleging the claimed invention is directed to non-statutory subject matter.

Applicants submit the present amendment to claim 10 obviates this rejection.

Claim Rejections - 35 U.S.C. § 102(b)

Claims 1, 3, 4, 8 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Suzuki et al. (US 6,606,163).

Claim 1 recites, *inter alia*, a communication module that, before transmitting the print job to a printer, transmits only the inclusive attribute information to the printer to cause the printer to determine whether or not the printer is capable of executing the print job.

In the rejection, the Examiner contends this feature is disclosed and cites to the job execution section control 16 of FIGS. 1 and 31, and column 16, lines 43-52. (*Office Action*, p.5).

However, Applicants respectfully disagree. In particular, Suzuki discloses in col. 44, line 64 through col. 45, line 11, that a document print request 280 (Fig. 30A) is input from a client to the print processing device (Fig. 27), and separated therein into the attribute data item 280a (Fig. 30B), and the document data item 280b (Fig. 30C). The job execution section 207 in the print processing device (Fig. 27) is a printer (col. 42, line 24-25). The attribute data item 280a (Fig. 30A), however, is not supplied to the job execution section 207, but it is used in the job control section 203 (Fig. 27, col. 42, lines 16-19, col. 45, line 42 through col. 46, line 22).

Consequently, the process of Fig. 31, including S13, is executed by the job scheduling section 212 (Fig. 28), the job scheduling section 212 is included in the job control elementary section

210 (Fig. 28), and the job control elementary section 210 is included in the job control section 203 (Fig. 27). Therefore, as disclosed in Suzuki, the judgment using the attribute data item 280a is not performed by a printer (the job execution section 207), and therefore the attribute data item 280a is not supplied to the job execution section 207.

Since Suzuki does not supply the attribute data item 280 to a printer (job execution section 207), Suzuki does not disclose “a communication module that, before transmitting the print job to a printer, transmits only the inclusive attribute information to the printer to cause the printer to determine whether or not the printer is capable of executing the print job,” as recited in claim 1.

Thus, Applicants submit claim 1 is patentably distinguishable for at least this reason. Additionally, because claims 8 and 10 recite similar features to the feature of claim 1 discussed above, Applicants submit claims 8 and 10 are patentably distinguishable for the same reasons as set forth above. Additionally, claims 3 and 4 are patentably distinguishable, at least by virtue of their dependency.

Claim Rejections - 35 U.S.C. § 103(a)

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Utsunomiya (US 7,034,954).

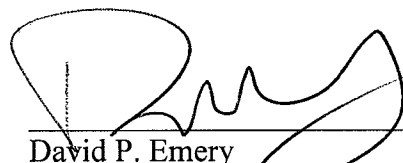
Applicants respectfully submit that because Utsunomiya, either taken alone or in combination with Suzuki, fails to compensate for the above noted deficiencies of Suzuki as applied to claim 10 above, claim 10 is patentably distinguishable over the applied combination for the same reasons set forth above. Additional untaught modifications would be required.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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